

REMARKS

Claims 1, 6-11, 14-16, 18, 20, and 25-34 are pending in the application. Claims 1 and 18 have been amended. Claims 2-5 and 21-24 have been cancelled without prejudice by the present amendment. Support for the amendments can be found in original claims 5 and 24 and in the specification at, e.g., page 3, lines 6-12. These amendments add no new matter.

35 U.S.C. §103(a) (Obviousness)

At page 3 of the Office Action, claims 1-11, 14-16, and 20-34 were finally rejected as unpatentable over Dixit et al., U.S. Patent No. 6,586,206 ("Dixit") in view Goswami et al. (1999) 62:636-40 ("Goswami") and further in view of Gonzalez-Garcia et al. (1994) 120:3033-42 ("Gonzalez-Garcia").

At page 3, the Office Action stated that "[l]imiting the scope of the claims to CHO cells or showing evidence the unexpected result apply to any cell would obviate the rejection."

In order to expedite prosecution of the present application, independent claims 1 and 18 have been amended to incorporate the limitations of original claims 5 and 24, which require that the "cell" recited in the claims be a Chinese Hamster Ovary (CHO) cell. It is applicants' understanding that these amendments obviate the present rejection. Applicants reserve the right to pursue the cancelled subject matter in a separate continuation application filed while the present application remains pending. In view of the claim amendments, applicants request that the Examiner withdraw the rejection of independent claims 1 and 18 the claims that depend directly or indirectly therefrom.

CONCLUSIONS

Applicants respectfully submit that all grounds for rejection have been overcome and that all claims are now in condition for allowance.

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Page : 7 of 7

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Respectfully submitted,

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